THIS CONTINENT.

THE CANNING-MONROE DOCTRINE

ITS HISTORY.

Our Position with Respect to European Powers as Viewed by One of England's Great Men.

ENGLAND'S INTEREST AGREES WITH OURS

Account of the Interviews on the Subject Between Mr. Canning, the British Minister, and Mr. Rush, the American Minister.

Canning's Notes and Rush's Reports.

Extracts from Rush's "Residence at the Court of London,"

INTERVIEW BETWEEN MR. RUSH AND MR. CANNING, AUGUST 16, 1823—RUSH TURNS THE CONVERSA TION TO THE WAR BETWEEN PRANCE AND SPAIN

ked Mr. Canning whether, notwithstanding the lat

Powers of Europe, he sall, in conclusion, that he thought it might probably be arranged in a manner that would be free from objection.

I again told him that I would not fail to convey his suggestion; to my government and impart to him whatever answer I might receive. In the course of our conversation of lexpressed no opinion in favor of them, yet abstained as carefully from saying anything against them, and on this footing the conversation ended; all which was promptly reported to my government.

NOTE FROM MR. CANNING TO MR. RUSH.

August 22—This day brought me an important note from Mr. Canning, stated the 20th inst.—Foreign Office. He informs me that before leaving town he is desirous of bringing before me in a more distinct; but still in an unofficial and confidential shape, the question opened and shortly discussed between us on the 16th met.

He asks if the meanent has not arrived when our two governments impit understand each other as to the Spanish American colonies; and if so, whether it would not be expedient for ourselves, and beneficial for all the world, that our principles in regard to them should be clearly settled and avowed. That as to England, she had de diagnise on the subject.—

1. She conceived the recovery of the colonies by Span to be hopeless.

2. That the question of their recognition as independent states was one of time and circumstances.

3. That England was not disposed, however, to throw any impediment in the way of an arrang ment between the colonies and mother country by sunceive negotiation.

4. That she aimed at the possession of no portion of

Such was the purport of his communication. It was framed in a spirit of great cordiality, and expressed an opinion that seldom, perhaps, at any time among nations, had an opportunity occurred when so small an effort of two friendly governments might produce so unequivocals good, and present such extensive calamities.

August 23.—I replied to Mr. Canning a note to the following effect;—I said that the government of the United States, havins in the most formal manner necknowledged the independence of the late Spaulsh provinces in America, desired to see it maintained with stability, and under masples that might promise happiness to the new States incuseives, as well as advantage to the rest of size world; and that, as conducing to these great ends, my government had long deared, and still anxiously desired, to see them received into the family of nations by the Powers of Europe, and especially by Great Britain.

That in other respects I believed the sentiments unfolded in his note were shared by the United States; because, first, we considered the recovery of the colonies by Spain to be eatirely hopeliess. 2. We would throw an impediment in the way of an arrangement between them and the mother country by amicable negotiation, supposing an arrangement of such a nature to be possible. 2. We did not aim at the possession of any of those communities for ourselves. Fourth and last, we should regard as highly unjunt, and as fruitful of disastrous consequences, any attempt on the part of any European Power to take personation of them by conquest, by cession, or on any other ground or present whatever.

I immediately transmitted to my government a copy of the foregoing correspondence in the following despice, with a request to the consult at Liverpool to send than off by the carriest ships for New York or other ports of the United States;—

Lowney, Angust 23, 1828.

First—I may thereby aid in achieving an immediate and positive good to those rising States in our hemisphere, for such I should conceive their recognition by Great Pritain at this junct re to be.

Second—Such recognition, co-operating with the declaration which this government has already in effect made, that it will not remain passive if Spanish America is attacked, and followed up by a similar declaration from me that neither will the United States, would prove at least a probable means of warding off the attack. The Foreign Secretary of England, it appears, is under a strong belief that it would, and this, without the recognition by England, being as yet a part of his case.

Third—Should the issue of things be different, and events notwithstanding arise threatening the peace of the United States, or otherwise seriously to affect their interests in any way in consequence of such a declaration by me, it would still remain for the wisdom of my government to disavow my conduct, as it would manifestly have been without its previous warrant. I would take to myself all the reproach, consoled under the desire that had animated me to render benefits of great magnitude to the cause of Spanish-American independence at a point of that which, if lost, was not to be recalled.

Firsth—My conduct might be disavowed in any issue of the transaction, and I should still not be without hope that the President would see in it proofs of good intention, mixed with zeal for the advancement of political interests, not indifferent, ultimately to the welfare of the United States themsetves.

The result of my reasoning, in a word, then, is, that I find myself placed suddenly in a situation in which, by deciding and acting promptly, I may do minen public good, while public mischief may be arrested by the controlling hand of my government, should my conduct be likely to draw down any mischief.

likely to draw down any mischief.

MORE ON THE SUBJECT FROM MR. CANNING—HE WANTS IT SETTLED WITHOUT DELAY.

September 7.—I receive another communication from Mr. Canning, dated Storrs, Westmoreland, the siles of Anguet. He acknowledges the receipt of both my letters in above to both of his, and says, that whatever may be the practical results of the correspondence between us, it is very satisficatory to him to like that the spirit in which it began on his part had been met so cordially on my part.

all spanish America triumphs; the E-repean congress might meet afterwards, if it chose to take so harmless a step."

He said that such a measure was open to objection, but asked if he was to understand that it would make any difference in my powers or conduct?

I replied, the greatest difference. I had frankly informed him that I had no powers to consent to his proposals in the shape in which they had not been presented to me in his note, and I would as frankly say that I had no specific powers to consent to them, coupled with the fact of this government acknowledging the independence of the new States; but, that great step being taken, I would stand upon my general powers as Minister Flenipotentiary.

spectroments might underwand each other as to the Speaks Aberican colonies and its which the term of the colonies of Speaks Aberican (colonies) and its which the colonies of Speaks Aberican (colonies) and its answer of the colonies by Speaks Aberican (colonies) and answer. That also Speaks aberican (colonies) and its converse of the colonies by Speaks aberican (colonies) and the colonies of the

NNIG'S VILWE—APOLYTION OF THE DOUTRINE BY PRESIDENT MO:ROE.

And now I am to speak of the course of the United States. By the early transmission of the proposals made to me by Mr. Canning in his notes of the latter end of August, the copies of them, as well as of my reports of our conferences on the whole subject, arrived at Washington in time to engage the deliberations of President Monroe and his Oabinet before the meeting of Congress in December.

Although no joint movement took place, my despatches had distinctly put before our government the intentions of Engished, with which, in the main, our policy harmonized; and President Monroe in his opening message to Congress, which collowed rimes immediately afterwards, in December, 1823, put forth the two following declarations—

1. That it was impossible for the Allied Powers to extend their political system to any part of America without endangering our peace and happiness; and "equally impossible, the refore, that we should behold such interposition with indifference,"

2. While alinding to discussions between the United States and Russia, then commenced with a view to arranging the respectives claims of the two nations on the northwest coass of America, the Procedent also declared that "the occasion had been j.-dage proper for asserting, as a to come the coasse of the been j.-dage proper for asserting, as a top of the time and interests of the irre and independent lead merican comition, by the irre and independent lead merican comition, by the irre and independent plans of the Allied Powers against the late Spanish provinces.

The sire of these declarations was probably expected by England, and was well received. Everybody saw at once that it referred to the hostile plans of the Allied Powers against the late Spanish provinces.

The second declaration was unexpected and not acquiesced in, ae recounts I am yet to give of negotiation by any European Power.

The sire of these declarations was probably expected by England, and was seven overlowed. For the Allied

The Powers of the Emperor and the Form of Government.

Military and Territorial Division of the Empire.

WHO ARE LAWFUL MEXICAN CITIZENS.

The Laws of Property and the Rights Thereby Conferred.

HIGHLY IMPORTANT REGULATIONS

determined by the organic law.

Art. 16. The magistrates and judges will be named with the character of immovable farmovables), and can only be dismissed according to the t-rms fixed by the organic law.

Art. 17. The magistrates and judges in the exercise of their functions will enjoy absolute independence.

Art. 18. The tribunals will not suspend the execution of the laws, nor make regulations. The audiences of all the tribunals will be public unless publicity should be dangerous to order and good custom, in which case the tribunal will declare it so by means of a previous decision.

sion.

ART. 19. In no civil or criminal suit will there be more than two procedulons (instancias) without projudice to the recourse of revisior and nullity as authorized by the laws.

ART. 19. In no civil or criminal suit will there be more than two presecutions (instancies) without prejudice to the recourse of revision and nutlity as authorized by the laws.

INTIE V.—OF THE BUREAU OF ACCOUNS.

ART. 20. The examination and liquidation of accounts referred to in article the seventh, will be made by a Bureau of Accounts, invested by a judicial authority.

ART. 21. The jurisdiction of the Bur an of Accounts extend all over the empire. This Bureau will try, to the exclusion of all other tribunals, all affairs competent to it, and, as to its decisions, admits no appeal to any other tribunal. It decides on everything which refers to accounts; but it does not proceed against those which are found culpable, consigning them to their competent judge, but can compet the functionarie whom it may concern to show their accounts, which are obligatory.

It watches the faithful observance of the expenditores for budgetly, communicates with the Emperor through the Department of State, and its members and President are named by the Emperor.

HILE VI.—OF THE INTIGIAL COMMISARIES AND INSPECTOR.

ART. 22. The Commissarioe are named temporarily to to prevent and redress the abuses which may be committed by the public functionaries of the departments, and investigate the working of the administrative order (orden administrative) and exercise the special functions which, in each case, will be conferred on them by the instructions of the Emperor.

ART. 23. The inspectors visit the department, inspect the city, the tribunal or administrative, which they are directed to, to inform on the subjects marked by their instructions of the Competent of the examination of which they have been entituted with. The general inspectors of the department, or the special ones of a fixed locality for a determined affair, will only exercise the functions entitusted by the Emperor in his instructions.

THE VI.—OF THE BURDANIC AND CONTURE AND C

consular corps.

THES VIII.—OF THE MARITHE PREFECTS AND CAPTAINS OF FORT.

ARY. 27. There will be maritime prefects and captains of port; the number, location and organization to be determined by isw.

The prefects will watch the execution of the laws, decrees and regulations concerning marine, as also the perfect execution of maritime justice.

The captains of the port are charged with all that concerns the potce of the roadstead and port, and with the execution of the maritime regulations on navigation and commerce.

III.E.J.—OF PREFECTS, SUB-PREFECTS AND MENICIPALITIES.

ARY. 28. The prefects are the delegates of the Emperor to administer the departments which are entrusted to their government and exercise the powers that the laws designate.

ARY. 29. Each prefect shall have a departmental council, conposed of the highest judical functionary, of the collector of revenue, of an agricultural proprietor, of a merchant, and a miner or mechanic, according to the best interests of the department.

ARY. 30. The attributions of the Departmental Council are:

1st. Give opinions to the Frefect in all affairs he may ask for them.

2d. To promote the menus of correcting abuses, and introduce improvements in the towns (prolicionary) and in the departmental administrative contentions (contextos) or suits.

ARY. 31. The Council will form regulations fixing the days of its seesions and all the rest concerning the internal regimes which it can immediately put into practice, but immediately transmitting it to the Minister of the Interior for its revision.

ARY. 32. The ordinary residence and seat of government of the Prefect will be the capital of the department, without this preventing the frequent visits which he must make to different localities of the same department, without this preventing the frequent visits which he must make to different localities of the same department.

ARY. 33. The prefects will be passed by the Emperor,

one can arrest the criminal to conduct him to a judicial presence or competent authority.

AR. 61. If the administrative authority should apprehend, the alleged criminal must be delivered within the third day to the proper justice, accompanied with all the corresponding data; and if the judge should find cause to declare him properly imprisoned, he must do so at the latest, within the fifth day; any detention beyond this will be at their personal responsibility.

But if the arrest should be made for transgressions against the State, or for perturbing public order, the administrative authority can prolong the detention until the Imperial Commissary can be informed or the Minister of the Interior, so that they may determine what may be necessary.

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AST. 62 No one can be sentenced except in virtue of laws which were anterior to the transgression which he is judged for.

ART. 63 No house shall be scarched, no papers examined of any person, except by a written order, and in the form literally established by the laws.

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ART. 66 In all criminal proceedings the accused will have the right of knowing the motive of the proceeding and the name of the accuser, if there should be one, the will also, as soon as the summary (cumario) is ended, exact the data of the process which may be necessary for his defence.

ART. 67 In the prisons will be organized in such a manner that they will only serve to secure the prisoners, without increasing unnecesserity their sufferings.

ART. 68. Property is inviolable, and can only be occupied by cacze of public necessity, and by a previous and competent indemnity, and in the form prescribed by the laws.

ART. 69. No gratuities or forced service can be exacted from any one, except in the cases designated by the laws.

ART. 70. No one can bind (obligar) his personal services, except temporarily and for a determined object. Minors cannot do so without the intervention of their parents or curators, and, in default of these, of the civil authority.

ART. 71. The confiscation of property is forever forbidden.

ART. 72. No imposts can be collected except in virtue of a law.

ART. 73. No imposts can be collected except in virtue of a law.

ART. 74. No man can be molected for his opinions, near prevented from publishing them, subject only to the laws which regulate the exerc

that of war and mercantile—will be determined by a law.

THER XVII—OF THE PORM OF TAKING OFFICE.

ART. 70. Regulates the form of taking office by public employes.

TILES XVIII—OF THE OFFICENCY AND REFORM OF THE STATUS.

ART. 80. All laws and decrees, which shall in future be issued, will be an accordance with the basis of this statute, and the authorities (esstoridade) are reformed in accordance therewith.

ART. 81. Though all that this statute enjoins, and all contained in its laws and regulations must govern as once, the authorities and public functionaries shall, within the space of one year address to the Emperor the observations suggested them by their zeal, their intelligence and their experience, so that the statute may be modified in all that centerns the welfare and happiness of the country.

JUAN F. RAMIREZ,
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LUIS ROBLES PEZUEALA,
JOSE MA CORTES Y ESPARZA,
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Minister of Justica.
PELIX CAMPELLO,